

REMARKS/DISCUSSION OF ISSUES

Claims 1-5 and 8-10 are pending in the application.

Please 6 and 7 were allowed in the parent application (Appl. No. 09/355,592) and accordingly are canceled.

The claims are amended for non-statutory reasons only, to place them in standard U.S. patent practice format, and are not narrowed in scope. No new matter is added.

Applicants respectfully note that the "means for reducing adhesive forces between the movable element and the light guide" of independent claim 1 is clearly recited in means-plus-function language. See **M.P.E.P § 2181**. Where means-plus-function language is used in an apparatus claim, claim limitations must be interpreted to read on only the structures or materials disclosed in the specification and equivalents thereof. **M.P.E.P § 2106.II.C**. Accordingly, for claim 1 to be rejected over prior art, it is not sufficient to simply show that Stern's stand-offs reduce adhesive force. To make a prima facie case for rejection, **M.P.E.P. § 2183** requires that "the examiner should provide an explanation and rationale in the Office Action as to why the prior art element is an equivalent." Any rejection lacking such explanation and rationale would be an improper rejection. Accordingly, applicants request that any 35 USC §§ 102-103 rejection include an explanation and rationale of why and how Stern's stand-offs can be considered an equivalent of applicants' means under 35 USC § 112, sixth paragraph.

This is a preliminary amendment. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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